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Dated: June 18, 2007      Signature: /Melissa L. Sistrunk/  
(Melissa L. Sistrunk; Reg. No. 45,579)

Docket No.: HO-P02086US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
James R. Lupski et al.

Application No.: 10/021,955

Art Unit: 1637

Filed: December 13, 2001

Examiner: S. Chunduru

For: DEFECTS IN PERIAXIN ASSOCIATED WITH  
MYELINOPATHIES

**STATEMENT OF SUBSTANCE OF INTERVIEW**

Dear Sir:

**INTRODUCTORY COMMENTS**

This submission is in response to the Notice of Allowance dated May 17, 2007, although Applicants already provided an Interview Summary with the documents filed February 8, 2007.

## **REMARKS**

### **I. Interview Summary**

On November 16, 2006, there was a telephonic interview including the undersigned, attorney Tom Paul, and Examiners Chunduru and Benzion.

Issues discussed included clarification of the restriction. As addressed by the Board in the Decision mailed May 30, 2006 and in furtherance to the Action following the Decision, the Examiner continued to examine subsets of the claims using unequal scope despite the apparent restriction to SEQ ID NO:76. In the interview, Applicants again confirmed that each of the sequences are in fact considered by the Examiner to be separate inventions and therefore restricted. Applicants asserted that the sequences should be maintained in the same group and not separately elected out, but the Examiners maintained the finality of the restriction. Participants also discussed potential claim scope for a continuation in relation to the restriction issues in the present case.

To the extent that the Examiner allowed the claims with the claim amendments discussed during the interview, agreement was reached. However, Applicants reserve the right to pursue the subject matter of the amended material in future prosecution.

Applicants again thank the Examiners for the courtesy of the teleconference.

### **II. Conclusion**

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02086US1 from which the

undersigned is authorized to draw.

Dated: June 18, 2007

Respectfully submitted,

By /Melissa L. Sistrunk/  
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